IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1278 OF 2006

In

NOTICE OF MOTION NO.150 OF 2003

In

APPEAL NO.188 OF 2003

In

NOTICE OF MOTION NO.928 OF 2001

In

SUIT NO.842 OF 1994

Suvarna Amrut Co-operative Housing
Society Ltd. : Appellant
(Orig.Deft.No.1)

V/s.

Shri Kashiram Anant Khamkar & Ors. : Respondents

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Mr.P.C.Kansara for the appellant.

Mr.Avinash Joshi i/b. M/s.Mulla & Mulla for respondent no.2.

Ms Sunita Khamkar, proposed respondent no.1(e) in person.

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CORAM : R.M.LODHA & S.A.BOBDE,JJ.

DATE : NOVEMBER 17, 2006.

P.C.

Leave to amend the prayer clause is granted. Necessary amendment in the prayer clause be made forthwith.

2. Admittedly, the application for substitution is within time. We, thus, grant the Chamber Summons in terms of prayer clause (a-1). Prayer clause (a-1) reads thus:-

> "a-1) This Hon'ble Court be please (sic) to permit the appellant to delete the name of Respondent No.1 and substitute the names of heirs of the said Respondent No.1 more particularly mentioned in schedule annexed to this chamber summons."

3. Necessary amendment in the cause title be carried out within two weeks from today.

4. Chamber Summons stands disposed of.

R.M. LODHA, J.

S.A. BOBDE, J.